HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 2452 OF 2005.

Avinash Raghunath Shinde. ...Applicant.

V/s.

The State of Maharashtra. ...Respondent

Mrs. Pranali Kakade, for applicant.

Shri K.V.Saste, APP for respondent.

Shri V.V.Purwant, for complainant.

CORAM: A.M.KHANWILKAR,J
DATE : APRIL 27, 2005

P.C. :-

1. Heard counsel for the parties.

2. This is second application for bail before this court. First application was rejected by me on 30th September, 2004 on merits. This application has been filed, in view of the observations made in the order dated 30/9/2004 that if the trial is not concluded within six months, it will be open to the Applicant to approach this court afresh. Accordingly, this application has been filed as the trial is not concluded.

3. Indeed, this statement is correct on fact, but

the record indicates that the trial has already commenced and 11 witnesses have been examined by the prosecution, so far. The prosecution intends to examine only 5 more witnesses. In other words, it is not a case, where the trial has not progressed at all and there is no likelihood of early conclusion of trial. The prosecution assures that they will ensure that the trial will be concluded as expeditiously as possible before the lower court and necessary co-operation in that behalf will extended by the prosecution.

4. Besides, the learned APP submits on instruction that maximum 3 months time would be required for conclusion of the trial. In this view of the matter, present application is rejected.

5. Application is disposed of accordingly.